

## DECLARATION FOR PATENT APPLICATION

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name. I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **N-Terminal and C-Terminal Markers In Nascent Proteins**, the specification of which is attached hereto. I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

09/382,9508/25/99Pending*Application Serial No.**Filing Date**Patented, Pending or Abandoned*

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole or First Inventor: **Kenneth J. Rothschild**

Inventor's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence: 97 Dorcar Road, Newton, Massachusetts 02139

Citizenship: United States of America

Post Office Address: 97 Dorcar Road, Newton, Massachusetts 02139

Full Name of Second Joint Inventor: **Sadanand Gite**

Inventor's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence: 808 Memorial Drive, Cambridge, Massachusetts 02139

Citizenship: India

Post Office Address: 808 Memorial Drive, Cambridge, Massachusetts 02139

Full Name of Third Joint Inventor: **Jerzy Olejnik**

Inventor's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence: 48 Beaconsfield Road, Brookline Massachusetts 02448

Citizenship: Poland

Post Office Address: 48 Beaconsfield Road, Brookline Massachusetts 02448

## ASSIGNMENT

WHEREAS, WE, Kenneth J. Rothschild, Sadanand Gite and Jerzy Olejnik, hereinafter referred to as "ASSIGNOR", have invented certain new and useful improvements as described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: **N-Terminal and C-Terminal Markers In Nascent Proteins**

Filing Date: 10/09/2001 Serial No.:

WHEREAS, AmberGen, Inc., a Massachusetts corporation, 1106 Commonwealth Avenue, Boston, MA 02215, hereinafter referred to as "ASSIGNEE", is desirous of acquiring the entire right, title and interest in said invention and application and in any Letters Patent which may be granted on the same;

NOW THEREFORE, TO ALL WHOM IT MAY CONCERN: Be it known that, for and in consideration of the sum of One Dollar (\$1.00) lawful money paid to ASSIGNOR by ASSIGNEE and other good and valuable consideration, receipt of which is hereby acknowledged, ASSIGNOR has sold, assigned and transferred, and by these presents does sell, assign and transfer unto said ASSIGNEE, and ASSIGNEE's successors and assigns, all right, title and interest in and to said invention, said application for United States Letters Patent, and any Letters Patent which may hereafter be granted on the same in the United States and all countries throughout the world including any divisions, renewals, continuations in whole or in part, substitutions, conversions, reissues, prolongations or extensions thereof, said interest to be held and enjoyed by said ASSIGNEE as fully and exclusively as it would have been held and enjoyed by said ASSIGNOR had this assignment and transfer not been made, to the full end and term of any Letters Patent.

ASSIGNOR further agrees that ASSIGNOR will, without charge to said ASSIGNEE, but at ASSIGNEE's expense, cooperate with ASSIGNEE in the prosecution of said application and/or applications; execute, verify, acknowledge and deliver all such further papers, including applications for Letters Patent and for the reissue thereof, and instruments of assignment and transfer thereof; and will perform such other acts as ASSIGNEE lawfully may request, to obtain or maintain Letters Patent for said invention and improvement in any and all countries, and to vest title thereto in said ASSIGNEE, or ASSIGNEE's successors and assigns.

IN TESTIMONY WHEREOF, ASSIGNOR has hereunto signed ASSIGNOR's names to this assignment on the date indicated below.

\_\_\_\_\_  
Kenneth J. Rothschild

\_\_\_\_\_  
Sadanand Gite

\_\_\_\_\_  
Jerzy Olejnik

STATE OF \_\_\_\_\_ )

ss.

COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, in the year of \_\_\_\_\_, before me, the undersigned notary public, personally appeared the above-named ASSIGNOR, known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged that he/she executed the same.

\_\_\_\_\_  
NOTARY PUBLIC

SEAL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Kenneth J. Rothschild *et al.* Group No.:  
Serial No.: Examiner:  
Filed: 10/09/2001  
Entitled: N-Terminal and C-Terminal Markers In Nascent Proteins

POWER OF ATTORNEY BY ASSIGNEE

Assistant Commissioner for Patents  
Washington, D.C. 20231

AmberGen, Inc., as Assignee of record of the entire interest of the above-identified patent application, hereby appoints the members of the firm of MEDLEN & CARROLL, LLP, a firm composed of:

Virginia S. Medlen	(Reg. No. 32,050)	Maha A. Hamdan	(Reg. No. 43,655)
Peter G. Carroll	(Reg. No. 32,837)	J. Mitchell Jones	(Reg. No. 44,174)
Kamrin T. MacKnight	(Reg. No. 38,230)	David J. Wilson	(Reg. No. 45,225)
David A. Casimir	(Reg. No. 42,395)	Jason R. Bond	(Reg. No. 45,439)
Jaen Andrews	(Reg. No. 35,051)	Thomas J. Bordner	(Reg. No. 47,436)
Tanya A. Arenson	(Reg. No. 47,391)	Mary Ann Brow	(Reg. No. 42,363)
Thomas C. Howerton	(Reg. No. P-48,650)	Thomas W. Brown	(Reg. No. 50,002)

as its attorneys with full power of substitution to prosecute this application and transact all business in the Patent and Trademark Office in connection therewith.

Please direct all future correspondence and telephone calls regarding this application to:

Peter G. Carroll  
MEDLEN & CARROLL, LLP  
101 Howard Street, Suite 350 Telephone: 415/904-6500  
San Francisco, California 94105 Facsimile: 415/904-6510

I hereby certify that the Assignment document filed with the application or filed subsequent to the filing date of the application, has been reviewed and I hereby certify that, to the best of my knowledge and belief, title is with AmberGen, Inc.

Dated: \_\_\_\_\_

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

AmberGen, Inc.  
1106 Commonwealth Avenue  
Boston, MA 02215

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

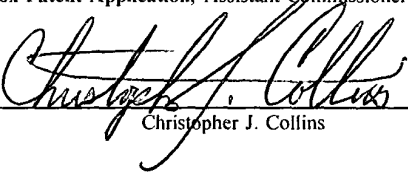
Box Patent Application  
Assistant Commissioner For Patents  
Washington, D.C. 20231

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of Kenneth J. Rothschild, Sadanand Gite and Jerzy Olejnik for **N-Terminal and C-Terminal Markers In Nascent Proteins**.

CERTIFICATION UNDER 37 C.F.R. § 1.10

I hereby certify that this New Application Transmittal and the documents referred to as enclosed therein are being deposited with the U.S. Postal Service on this date **October 9, 2001** in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number **EL512053273US** addressed to: **Box Patent Application**, Assistant Commissioner For Patents, Washington, D.C. 20231.

  
Christopher J. Collins

1. Type Of Application

This new application is for a(n)

- ☒ Original (nonprovisional)  
☒ Continuation.

2. Benefit Of Prior U.S. Application(s) (35 U.S.C. §§ 119(e), 120, or 121)

- ☒ The new application being transmitted claims the benefit of prior U.S. application(s) and enclosed are **ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED.**

3. Papers Enclosed That Are Required For Filing Date Under 37 C.F.R. § 1.53(b) (Regular) or 37 C.F.R. § 1.153 (Design) Application

118 Pages of Specification  
7 Pages of Claims  
1 Page of Abstract  
36 Sheets of Formal Drawings

4. Declaration

- ☒ Enclosed  
☒ Unexecuted.

5. Inventorship Statement

The inventorship for all the claims in this application is:

- ☒ the same

6. Language

- ☒ English

7. Assignment

- ☒ An assignment of the invention to **AmberGen, Inc.** is attached.  
☒ Form PTO-1595 will follow.

8. Fee Calculation (37 C.F.R. § 1.16)

☒ Regular application

CLAIMS AS FILED

Number Filed	Number Extra	Rate	Basic Fee - \$740.00 (37 C.F.R. § 1.16(a))
Total Claims (37 C.F.R. § 1.16(c))	48 - 20 =	28 × \$18.00 =	\$504.00
Independent Claims (37 C.F.R. § 1.16(b))	4 - 3 =	1 × \$84.00 =	\$84.00
Multiple Dependent Claim(s), if any (37 C.F.R. § 1.16(d))	+ \$280.00 =		\$0.00
Filing Fee Calculation			\$1328.00

9. Small Entity Statement(s)

☒ Verified Statement(s) that this is a filing by a small entity under 37 C.F.R. §§ 1.9 and 1.27.

Filing Fee Calculation (50% of above) \$664.00

10. Fee Payment Being Made At This Time

☒ Enclosed

☒ basic filing fee

\$664.00

Total Fees Enclosed \$664.00

11. Method of Payment of Fees

☒ Check in the amount of \$664.00

12. Authorization To Charge Additional Fees and Credit Overpayment

☒ The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No.: 08-1290. An originally executed duplicate of this transmittal is enclosed for this purpose.

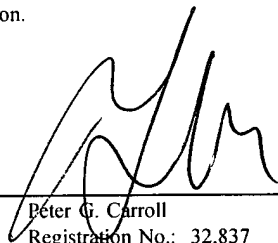
13. Power of Attorney by Assignee

☒ The power appears in the original papers in the prior application.

14. Return Receipt Postcard

☒ Enclosed

Dated: October 9, 2001

  
Peter G. Carroll  
Registration No.: 32,837

MEDLEN & CARROLL, LLP  
101 Howard Street, Suite 350  
San Francisco, California 94105  
415/904-6500

☒ Incorporation By Reference Of Added Pages

☒ Plus Added Pages For New Application Transmittal Where Benefit Of Prior U.S. Application(s)  
Claimed

Number of pages added 1

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ADDED PAGES FOR APPLICATION TRANSMITTAL  
WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED

15. Relate Back

A. 35 U.S.C. § 119(e)

B. 35 U.S.C. §§ 120, 121 and 365(c)

☒ Amend the Specification by inserting before the first line the sentence: "This is a Continuation of copending application(s) 09/382,950 filed on 8/25/99."

16. Further Inventorship Statement Where Benefit Of Prior Application(s) Claimed

a. This application discloses and claims only subject matter disclosed in the prior application whose particulars are set out above and the inventor(s) in this application are

☒ the same.

09/382,950